

CERTIFIED COPY

FILED

9/19/2011 2:37pm
MICHAEL K. JEANES, Clerk

By D. Glab
D. Glab Deputy

1 THOMAS C. HORNE
Attorney General
2 Firm Bar No. 14000
CHERIE L. HOWE
3 Assistant Attorney General
State Bar No. 013878
4 1275 West Washington Street
Phoenix, Arizona 85007-2997
5 Telephone: (602) 542-7725
Facsimile: (602) 542-4377
6 Consumer@azag.gov
Attorneys for the State of Arizona

8 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**

9 **IN AND FOR THE COUNTY OF MARICOPA**

10 STATE OF ARIZONA, ex rel., THOMAS
C. HORNE, Attorney General,

Case No: CV2011-011529

11 Plaintiff,

12 v.

13 **PRELIMINARY INJUNCTION ORDER**

14 ABODE AIR, LLC (f/k/a ABOUT AIR,
LLC), an Arizona limited liability company,

15 Defendant.

16
17 Plaintiff, having filed a Verified Complaint that requested, among other relief, the
18 issuance of a preliminary injunction, and the Court having considered the allegations
19 contained therein, as well as the evidence presented at the Preliminary Injunction hearing
20 held on September 8th and 9th, 2011 before this Court,

21 **THE COURT FINDS:**

22 The State has shown that Defendant has violated the Arizona Consumer Fraud Act,
23 Arizona Revised Statutes ("A.R.S.") § 44-1521, *et seq.*, by engaging in telephone
24 solicitations that violate Arizona laws governing such activities.

25 Unless the Defendant, and those persons acting on its behalf, is restrained from
26 soliciting consumers over the telephone for its services, there is a strong likelihood that it

1 will continue to engage in such conduct in violation of Arizona laws governing telephone
2 solicitation.

3 The Court further finds that the facts and allegations set forth in the State's Verified
4 Complaint and the evidence presented at the Preliminary Injunction hearing warrant the
5 issuance of an Order for Preliminary Injunction.

6 THEREFORE, this Court having jurisdiction over the parties and the subject matter
7 hereof and good cause appearing:

8 THE COURT ORDERS that the Defendant, and any person acting on behalf of or in
9 concert with it, as well as the Defendant's members, officers, agents, servants, employees,
10 attorneys, or successors in interest, is preliminarily restrained, directly or indirectly, from
11 engaging in any telephone solicitation of any Arizona consumer, directly or through any third
12 party, for any purpose.

13 IT IS FURTHER ORDERED that the State shall file this Order for Preliminary
14 Injunction and serve copies of said Order on the Defendant and all others who Plaintiff has
15 reason to believe may be affected by this Order.

16 IT IS FURTHER ORDERED that the Defendant shall give actual notice of the Order
17 to each of its members, officers, directors, agents, servants, employees, attorneys, spouses,
18 solicitors and to each person in active concert or participation with it, within three (3)
19 calendar days from the date Defendant is served with this Order.

20 IT IS FURTHER ORDERED that, unless further extended by Order of this Court, this
21 Preliminary Injunction shall remain in effect pending further order of this Court.

22 DONE IN OPEN COURT this 9 day of September, 2011, at 2:36
23 o'clock p.m.

24 
25 Judge of the Superior Court

26 EDWARDSong instrument is a full, true and correct copy of
the original on file in this office.

Attest September 9, 2011
MICHAEL K. JEANES, Clerk of the Superior Court of the
State of Arizona, in and for the County of Maricopa.

By D. G. Lab Deputy